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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,331	05/24/2002	Jason Jiang	A-71259/DJB/MAK	5783
32940	7590	08/23/2006	EXAMINER	
DORSEY & WHITNEY LLP 555 CALIFORNIA STREET, SUITE 1000 SUITE 1000 SAN FRANCISCO, CA 94104			NGUYEN, CINDY	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,331

Applicant(s)

JIANG ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10--34 and 36-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11, 13-16, 19-21, 24-34, 37, 39-42, 45-47 and 50-54 is/are rejected.
- 7) ☒ Claim(s) 12, 17, 18, 22, 23, 38, 43, 44, 48 and 49 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response amendment filed 05/15/06.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-3 and 5-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In the present case, no practical application for abstract idea, no useful, concrete or tangible result is produced, the claimed invention does not fulfill any of the disclosed utilities as in specification, no beneficial final result for establish a search engine which can model a large data set such as web pages on the internet.

1. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-8, 27-29 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz (US 5737734) in view of Singhai (US 6567810).

Regarding claims 1 and 27, Schultz discloses: a search system, including: query means for processing a query to assign respective weights to terms of said query based on grammatical structure (as proper noun) of the query (col. 23, lines 21-45, Schultz). However, Schultz didn't disclose: generate a query vector including said weights in respective fields for said terms, index means for processing said query vector to output at least one index to data in response to said query. On the other hand, Singhai discloses: generate a query vector including said weights in respective fields for said terms (col. 6, line 57 to col. 7, line 10, Singhai), index means for processing said query vector to output at least one index to data in response to said query (col. 6, line 21 to col. 7, line 10, Singhai). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include generate a query vector including said weights in respective fields for said terms, index means for processing said query vector to output at least one index to data in response to said query in the system of Schultz as taught by Singhai. The motivation being provide an indexing method performed by assigning a weight to each word in the search query, yields a weighted vector for the search query then provides a fault tolerant method for indexing and retrieving of data information in the case where one or more of the sub collection views is unable to be collected by the central computer, for whatever reason, a search and retrieval operation can still be conducted by the user (col. 7, lines 25-38, Singhai).

Regarding claims 2 and 28, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai discloses: wherein the weights are assigned based on the importance of the terms in said query (col. 23, lines 21-45 and col. 24, lines 29-55, Schultz).

Regarding claims 3 and 29, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai discloses: wherein said weights are assigned to said query based on the grammatical structure of the query and the meaning the terms of the query (col. 24, lines 29-55, Schultz).

Regarding claims 5 and 31, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai discloses: wherein said query means generates sections of terms which form said query, said section (noun, verb) representing grammatical elements (the form of complete sentence)(col. 24, lines 29-55, Schultz).

Regarding claims 6 and 32, all the limitation of these claims have been noted in the rejection of claims 5 and 31 above, respectively. In addition, Schultz/Singhai discloses: wherein the terms in said sections are allocated to grammatical categories¹ for determining said weights (col. 24, lines 29-55, Schultz).

Regarding claims 7 and 33, all the limitation of these claims have been noted in the rejection of claims 6 and 32 above, respectively. In addition, Schultz/Singhai discloses:

¹ grammatical categories as noun, verb present in the sentence.

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wherein said query means generates a plurality of said sections, and parses said sections to select a set of sections forming said query vector (col. 24, lines 29-55, Schultz).

Regarding claims 8 and 34, all the limitation of these claims have been noted in the rejection of claims 7 and 33 above, respectively. In addition, Schultz/Singhai discloses: wherein said sections are selected on the basis of syntactical structure (base on the sentence) (col. 24, lines 29-55, Schultz).

3. Claims 4, 10, 11, 13-16, 19-21, 24-26, 30, 36-42, 45-47 and 50-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schultz (US 5737734) in view of Singhai (US 6567810) and further in view of Gallant (US 5325298).

Regarding claims 4 and 30, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. However, Schultz/Singhai didn't disclose: wherein said query means analyses said terms using a dictionary and thesaurus of terms of said data, and said respective fields are for terms of said dictionary. On the other hand, Gallant discloses: wherein said query means analyses said terms using a dictionary and thesaurus of terms of said data, and said respective fields are for terms of said dictionary (col. 11, lines 32-54, Gallant). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein said query means analyses said terms using a dictionary and thesaurus of terms of said data, and said respective fields are for terms of said dictionary in the system of Schultz/Singhai as taught by Gallant. The motivation being to assigned the weights to each of the words , which are closest to the ambiguous word in the text and the remaining words except for the ambiguous word, are located in

the dictionary of context vectors to product the weighted context vector for each of the remaining words (col. 11, lines 40-53, Gallant).

Regarding claims 10 and 36, all the limitation of these claims have been noted in the rejection of claims 4 and 30 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein the weights are linguistic weights (col. 7, lines 20-40, Gallant).

Regarding claims 11 and 37, all the limitation of these claims have been noted in the rejection of claims 7 and 33 above, respectively. In addition, Schultz/Singhai/Gallant disclose: wherein said sections are key centred phrase (noun phrase) structure frames with a key grammatical category (noun) (col. 23, lines 45-54, Schultz), and said query means executes frame instantiation on the terms of said query and generates a frame relation graph of said frames(col. 24, lines 29-55, Schultz).

Regarding claims 13 and 39, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said query vector has said weights placed in respective fields corresponding to terms of at least one term list (col. 7, lines 20-40, Gallant).

Regarding claims 14 and 40, all the limitation of these claims has been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said index means maintains a hierarchal structure of nodes representing said data and indices to said data, said nodes each include a text vector having weight for terms of said data, and leaf nodes of said structure including indices to said data (col. 6, lines 35 to col. 7, lines 10, Singhai).

Regarding claims 15 and 41, all the limitation of these claims have been noted in the rejection of claims 14 and 40 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said index means compares said query vector with the text vectors of said nodes to select said at least one index in response to said query (col. 7, lines 10-25, Singhai).

Regarding claims 16 and 42, all the limitation of these claims have been noted in the rejection of claims 15 and 41 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said comparing is executed from the upper level of the tree structure to the lower level, with paths in the structure being selected on the basis of the comparison between the vectors (col. 7, lines 10-25, Singhai).

Regarding claims 19 and 45, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said index means is a self generating neural network having nodes of weight vectors representing categories and terms of said data, said nodes further including pointers to a first child node and a next sibling node, and leaf nodes of said network including an index to said data (col. 6, lines 22 to col. 7, lines 10, Singhai).

Regarding claims 20 and 46, all the limitation of these claims have been noted in the rejection of claims 19 and 45 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said weights are normalized, and said network is searched in response to a query by determining the inner product of said query vector and said weight vectors to locate nodes producing a high inner product (col. 6, lines 22 to col. 7, lines 10, Singhai).

Regarding claims 21 and 47, all the limitation of these claims have been noted in the rejection of claims 18 and 44 above, respectively. In addition, Schultz/Singhai/Gallant discloses including cluster means for processing indices output by said index means in response to said query, generating term frequency vectors for data indexed by said indices, comparing similarities between the indexed data in the basis of a distance between said frequency vectors and generating content based categories on the basis of said distances and placing the output indices into said categories for display (col. 6, lines 22 to col. 7, lines 10, Singhai).

Regarding claims 24 and 50, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai/Gallant discloses: including feature extraction means for accessing respective unique and important terms of said data and adding said terms to said dictionary (col. 11, lines 54 to col. 12, lines 12, Gallant).

Regarding claims 25 and 51, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai/Gallant discloses including feature extraction means for extracting indices and respective terms of said data as term weight pairs, the weights of the pairs being based on the importance and uniqueness of component ngrams of the terms of an indexed document and the terms being extraction the basis of the distribution of ngrams in said document space and wherein said index means is a neural network generated on the basis of training examples including said term weight pairs (as word1, weight1) (col. 6, lines 21 to col. 7, lines 10, Singhai).

Regarding claims 26 and 52, all the limitation of these claims have been noted in the rejection of claims 25 and 51 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said neural network is a self generating neural network and the format of said query vectors and vectors of nodes of said network is generated on the basis of the training examples (col. 6, lines 21 to col. 7, lines 10, Singhai).

Regarding claims 53 and 54, all the limitation of these claims have been noted in the rejection of claims 1 and 27 above, respectively. In addition, Schultz/Singhai/Gallant discloses: wherein said terms represent one of a word and a phrase (col. 6, lines 21 to col. 7, lines 10, Singhai).

Allowable Subject Matter

Claims 12, 17, 18, 22, 23, 38, 43, 44, 48 and 49 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: the prior art of record fail to discloses: wherein query means executes parallel parsing on said frame relation graph to generate a nodal tree structure of the query to generate said query vector as recited in claims 12 and 38.

The following is an examiner's statement of reasons for allowance: the prior art of record fail to discloses: wherein said index means obtains the product of said query vector and the text vector of the nodes of the level of said structure, and obtains said product for nodes of

a succeeding level of said structure which are connected to nodes for which the product has exceeded a predetermined threshold as recited in claims 17 and 43.

Regarding claims 18 and 44, all the limitation of these claims have been noted in the rejection of claims 17 and 43 above, respectively. Therefore, they are objected.

The following is an examiner's statement of reasons for allowance: the prior art of record fail to disclose: including feature extraction means for receiving content features of said categories from said cluster means and selecting a unique descriptive feature for each category as recited in claimed 22 and 48.

Regarding claims 23 and 49, all the limitation of these claims have been noted in the rejection of claims 21 and 47 above, respectively. Therefore, they are objected.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gaffin Jeffrey can be reached on 571-272-4190. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Cindy Nguyen
August 10, 2006


FRANTZ COBY
PRIMARY EXAMINER